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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JAMES MCDANIEL,

Plaintiff,

vs.

JAMES DZURENDA, et al.,

Defendants.

Case No. 3:19-cv-00101-RCJ-WGC

**ORDER GRANTING
DEFENDANT'S MOTION FOR AN
EXTENSION OF TIME TO FILE
A DISPOSITIVE MOTION
(FIRST REQUEST)**

Defendant, Tasheena Cooke (formerly known as Tasheena Sandoval), by and through counsel, Aaron D. Ford, Attorney General of the State of Nevada, and Stephen J. Avillo, Deputy Attorney General, hereby submits this Motion for an Extension of Time to File a Dispositive Motion.

This Motion is based on the F.R.C.P. 6(b)(1)(A), LR 1A 6-1, and the following Memorandum of Points and Authorities.

This is the first request for an extension of time to file a dispositive motion.

MEMORANDUM OF POINTS AND AUTHORITIES

This is an inmate civil rights suit brought pursuant to 42 U.S.C. § 1983. Pursuant to the Court's scheduling order, dispositive motions are due in this matter on September 3, 2021.

In the week leading up to the dispositive motion deadline, undersigned counsel has filed, or has drafted and is about to file, one motion for summary judgment and two replies in support of motions for summary judgment. Counsel has also spent considerable time attempting to resolve a discovery dispute in another matter. This is in addition to other routine deadlines throughout counsel's caseload.

FRCP 6(b)(1) governs extensions of time and provides as follows:

When an act may or must be done within a specified time, the court may, for good cause, extend the time: (A) with or without motion or notice if the court acts, or if a request is made, before the original time or its extension expires; or (B) on motion made after the time has expired if the party failed to act because of excusable neglect.

Counsel submits that his recent schedule and workload constitutes good cause for granting an extension of time to file a dispositive motion, and that such request will not hinder or prejudice Plaintiff's case. Defendants make this request in good faith, and not to cause undue delay or for any other improper purpose.

Defendants therefore respectfully request a 35-day extension of the deadline to file a dispositive motion, to **October 8, 2021**. Counsel recognizes that 30 days is the normal time granted for extensions of dispositive motion deadlines. Counsel requests 35 instead of 30 after looking at his calendar and considering planned time out of the office.

DATED this 3rd of September, 2021.

AARON D. FORD
Attorney General

By: /s/ Stephen J. Avillo
STEPHEN J. AVILLO, Bar No. 11046
Deputy Attorney General

Attorneys for Defendant

IT IS SO ORDERED.

DATED: September 7, 2021.

Warren G. Cobb
UNITED STATES MAGISTRATE JUDGE